

REMARKS

Claims 1, 14, 15, and 63 have been amended. Claims 1-27 and 63-75 are pending in the application. Applicants reserve the right to pursue the original claims and other claims in this and other applications.

Claims 1-3, 5, 8-9, 13-17, 19, 22-23, and 27 stand rejected under 35 U.S.C. §102(e) as being anticipated by Uya (US 2003/0122209). Applicants respectfully traverse this rejection.

Claims 1, 14, and 15, as amended, recite, *inter alia*, "at least one fluidic material between each said photoconductor, said at least one fluidic material surrounding at least a lower portion of each of said photoconductors." (Emphasis added.) Uya does not disclose such a limitation. Uya discloses "[a] high refractive index transmissive material layer 21 is filled in the opening defined by the silicon oxide film 16 ..., the high refractive index transmissive material layer 21 has an upward convex lens shape." Uya paragraph 0049. The upward convex lens protrudes into an insulating layer 17. Uya paragraph 0046. Insulating layer 17 does not surround transmissive material layer 21, therefore Uya does not disclose surrounding the photoconductors with fluidic material. Uya's insulating layer 17 is located above transmissive material layer 21. Uya Fig. 5A. Therefore a lower portion of the photoconductors is not surrounded by a fluidic material in Uya. A fluidic material is a material which has the ability to flow and has the tendency to assume the shape of its container, such as a liquid, gas, or gel. Since Uya does not disclose all the limitations of claims 1, 14, and 15, claims 1, 14, and 15 are not anticipated by Uya. Claims 2-3, 5, 8-9, and 13 depend from claim 1 and are patentable at least for the reasons mentioned above. Claims 16-17, 19, 22-23, and 27 depend from claim 15 and are patentable at least

for the reasons mentioned above. Applicants respectfully request that the 35 U.S.C. § 102(e) rejection of these claims be withdrawn.

Claims 4, 10-12, 18, 24-26, 63-67, and 70-75 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Uya (US 2003/0122209) in view of Mikolas (US 2003/0136759). Applicants respectfully traverse this rejection.

In order to establish a *prima facie* case of obviousness “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” M.P.E.P. §2142. Neither Uya nor Mikolas, even when considered in combination, teach or suggest all limitations of claims 1, 15, or 63. Claims 4 and 10-12 depend from claim 1. Claims 18 and 24-26 depend from claim 15. Claims 1, 15, and 63, as amended, recite, *inter alia*, “at least one fluidic material between each said photoconductor, said at least one fluidic material surrounding at least a lower portion of each of said photoconductors.” (Emphasis added.) As addressed above relating to the patentability of claims 1, 14, and 15, Mikolas, like Uya, does not teach or suggest the limitation of “at least one fluidic material surrounding at least a lower portion of each of said photoconductors,” recited in claim 63. Since Uya and Mikolas do not teach or suggest all of the limitations of claims 1, 15, and 63, dependent claims 4 and 10-12, dependent claims 18 and 24-26, independent claim 63 and dependent claims 64-67 and 70-75 are not obvious over the cited references. Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of claims 4, 10-12, 18, 24-26, 63-67, and 70-75.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Dated: August 4, 2005

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Rachael Lea Leventhal

Registration No.: 54,266

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicants